

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. Christopher C. Trumbull

Docket No. 5:15-MJ-1541-1

Petition for Action on Probation

COMES NOW Debbie W. Starling, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Christopher C. Trumbull, who, upon a finding of guilt by a jury to 18 U.S.C. §§ 13, assimilating N.C.G.S. 20-138.1, Driving While Impaired (Level 2), N.C.G.S. 14-223, Resist, Delay, or Obstruct a Police Officer, and N.C.G.S. 2020-129(a), Inoperable Headlamp, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, on January 6, 2016, to a 12-month term of probation under the conditions adopted by the court. On February 29, 2016, the defendant's conditions of probation were modified to allow him to serve his 45-day jail term on an intermittent basis.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On March 15, 2016, the Bureau of Prisons submitted the defendant's jail designation which required the defendant to begin serving consecutive weekends in jail on April 1, 2016, and concluding on the weekend of July 8, 2016. However, the designation was not provided to the probation officer, and as a result, the defendant had no knowledge of his report date. An updated designation was prepared and provided to the probation officer on April 4, 2016. The defendant was scheduled to serve consecutive weekends beginning on April 8, 2016, and ending the weekend of July 15, 2016. Trumbull reported as scheduled for each weekend through July 8, 2016. On July 18, 2016, the probation officer was notified by the Bureau of Prisons that Trumbull did not report for his last weekend of jail time as required on July 15, 2016. Trumbull was contacted and he stated that he was told on July 10, 2016, when he was released from the Cumberland County Jail that he had completed his required jail time and was given a copy of the schedule. He provided the probation officer with the copy of the schedule and it appears that the jail was working from the original designation of March 15, 2016. Trumbull indicated that he would have reported had he known, especially in light of the fact that he reported for all other weekends despite his medical issues. The Bureau of Prisons was notified and advised that we would be seeking guidance from the court regarding the situation. The probation officer was advised on July 21, 2016, that the Cumberland County Jail would no longer be accepting jail placements until further notice. At this time, it appears that the nearest jail placement is located approximately 100 miles away, which would create significant transportation issues for this defendant. Given the circumstances surrounding the defendant's failure to report for his last weekend (3 days), which appears to have been unintentional, as well as issues relating to future jail placement, it is respectfully requested that the court modify the defendant's conditions of supervision allowing the defendant to serve 7 days of home incarceration in lieu of the remaining 3 days of jail.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. That in lieu of serving the remaining 3 days of the 45-day intermittent confinement, the defendant shall serve 7 days of home incarceration. The defendant shall abide by all conditions and terms of the home incarceration program for a period not to exceed 7 consecutive days. The defendant shall be restricted to his residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

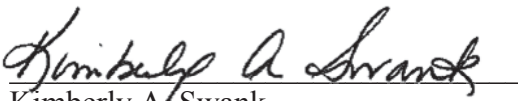
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Debbie W. Starling
Debbie W. Starling
U.S. Probation Officer
310 Dick Street, Fayetteville, NC
Phone: 910-483-8613
Executed On: August 8, 2016

ORDER OF THE COURT

Considered and ordered this 8th day of August, 2016, and ordered filed and
made a part of the records in the above case.


Kimberly A. Swank
U.S. Magistrate Judge